

United States Bankruptcy Court
for the
Eastern and Western Districts of Arkansas

CM/ECF Release 3.1 Changes
Effective October 17, 2006

A number of changes have been made to the CM/ECF application in Release 3.1. Below is summarized some of the major changes which will impact the use of CM/ECF by external users. If there are any questions regarding how to use CM/ECF in Release 3.1, please contact the ECF Help Desk at 501-918-5590.

New Reporting Requirements

CM/ECF Release 3.1 will be collecting and reporting more data to send to the Statistics Division of the Administrative Office. The traditional reporting of case opening and closing data will continue, but new fields from actual docketing events will also be transmitted. This list is an example of the variety of information being gathered.

- Filing fees
- in forma pauperis
- Assets
- Amended, modified and approved plans
- Chapter 11 trustee activity
- Transfer cases
- Appeals
- Rent deposits
- Damages for creditor misconduct
- Debtor attorney sanctions
- Damages under rule 9011
- Reaffirmation agreements

Event Specific Data (extracted through docket events):

- Event frequency
- Filed date
- Role of filer
- Dollar amounts
- Order actions
- Related case numbers
- Hearing locations
- Judge code

Fifty Contested Matters

- Data not reported until matter is disposed
- Includes all related events, hearings, answers, etc.

Bankruptcy Case Opening Changes

- Statistical Information screen changes:

The screenshot shows the 'Open New Bankruptcy Case' form on the ECF system. The form is divided into several sections. On the left, there are dropdown menus for 'Prior filing within last 8 years', 'Fee status' (set to 'Paid'), 'Nature of debt', 'Asset notice' (set to 'No'), 'Estimated number of creditors', 'Estimated assets', and 'Estimated debts'. On the right, there are radio button options for 'Type of debtor' (Individual, Corporation (includes LLC & LLP), Partnership, Other) and 'Nature of business' (Health Care Business, Single Asset Real Estate, Railroad, Stockbroker, Commodity Broker, Clearing Bank, Other, Tax-Exempt Entity). Red dashed arrows point to the 'Prior filing within last 8 years', 'Nature of debt', 'Estimated assets', 'Estimated debts', and 'Tax-Exempt Entity' fields. At the bottom left, there are 'Next' and 'Clear' buttons.

Figure 1

- ▶ The item “Prior filing within last 8 years” has been added.
- ▶ The item “Nature of debt” is blank and must be selected - consumer or business. If Nature of Debt is “consumer”, Type of debtor must be “Individual.”
- ▶ The item “Asset notice” has a default value of “yes” or “no” appropriate for the chapter.
- ▶ The items “Estimated number of creditors”, “Estimated assets”, and “Estimated debts” are blank and must be selected. Values for estimated assets and estimated debts have changed.
- ▶ The “Nature of Business” label has been added above the list of business types. An “Other” business type has been added. Radio buttons have replaced checkboxes. The “Tax-Exempt Entity” (which replaces the Nonprofit Organization checkbox) can be selected in conjunction with any type of business.
- ▶ Two new checkboxes appear when opening a Chapter 11 case (not shown in Figure 1):
 - “A plan is being filed with this petition”
 - “Acceptances of the plan were solicited prepetition”
- Initial screen displays the option for Foreign Main Proceeding or Foreign Nonmain Proceeding if filing under Chapter 15. This section will not appear for other chapters.
- Summary of Schedules Screen (Figure 2)

Certain data from Official Form 6 (Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data) will now be required for reporting purposes when opening a bankruptcy case for an individual debtor with primarily consumer debts filing

under chapters 7, 11 or 13.

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Open New Bankruptcy Case

SUMMARY OF SCHEDULES

Report the totals from Schedules A, B, D, E, F, I, J, Form 22, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
A - Real Property	<input type="text"/>		
B - Personal Property	<input type="text"/>		
D - Creditors Holding Secured Claims		<input type="text"/>	
E - Creditors Holding Unsecured Priority Claims		<input type="text"/>	
F - Creditors Holding Unsecured Nonpriority Claims		<input type="text"/>	
I - Average Income (line 16)			<input type="text"/>
J - Average Expenses (line 18)			<input type="text"/>
22 - Current Monthly Income line 12 on Form B22A, line 11 on Form B22B, or line 20 on Form B22C			<input type="text"/>
Total nondischargeable debt From Form 6, page 2 (28 USC 159)		<input type="text"/>	
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E, F, or nondischargeable debt is not known.		<input type="text"/>	

Hint Clear

Figure 2

- ▶ Boxes have been included in which to enter total amounts from Schedules A, B, D, E, F, I, J, Form 22, and total nondischargeable debt.
- ▶ 22 – Current Monthly Income amount is obtained from Form B22 and also can be obtained from the Statistical Summary of Certain Liabilities and Related Data (see Figure 3).
- ▶ **Total nondischargeable debt** amount is obtained from the Statistical Summary of Certain Liabilities and Related Data – the total amount of the Type of Liability section (see highlighted section in Figure 3).
- ▶ The last row of the Summary of Schedules screen, **Total Dischargeable Debt**, is automatically calculated in the system if the amounts for D, E, F and total nondischargeable debt are complete.

Statistical Summary of Certain Liabilities and Related Data

[illegible]

Figure 3

- ▶ If the information is not available at case opening, the data can be entered when docketing the following event:

DEFICIENT Schedules Filed (Excludes Plan and Means Test)

- ▶ If amended schedules or amended petition filed, the data can be added/updated when docketing the following events:

Amended Petition, Schedules, Statements, or Creditors (Excludes Plan and Means Test)

Caution: The amount entered will **OVERWRITE** any previous value; it will not add the new amount to the previous value. You must enter the total amount for the case.

Case Upload

- **If the petition preparation software does not automatically check to what release of ECF the court is on, attorneys must upgrade their petition preparation software at the same time the court upgrades to Release 3.1.**
- The format of the statistics record has changed in 3.1 to include the new case opening fields and additional edit checks will be made.
- When a Chapter 7 case for an individual is uploaded, a value for the Presumption field will be required only if Nature of Debt is “consumer.” Previously, a value was required for the Presumption field even when the Nature of Debt was “business.”

- Release 3.1 checks the number of fields in the Statistics Record. If the number of fields is not equal to 34, then an error message is displayed.
- Details can be obtained from the PACER Service Center at http://pacer.psc.uscourts.gov/cmecf/developer/case_upload.html.

Adversary Opening

- Defendant/Plaintiff information screen now includes “Role in Bankruptcy Case”, this option cannot be left blank (See Figure 4)

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Plaintiff Information

Bank One SSN:Unknown

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail

Party text

Role in Bankruptcy Case

Attorney... Alias... Corp...

Submit Cancel Clear

Creditor
Debtor
Other/Not Applicable
Trustee
U.S. Trustee/Bankruptcy Administrator

attorneys, aliases and corporate parents clicking the Submit button.

Figure 4

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Open a New Adversary Case

Party code U.S. not a Party in the case

Rule 23 (class, action)

Jury demand

Demand (\$000)

State law

Primary nature of suit

Second nature of suit

Third nature of suit

Fourth nature of suit

Fifth nature of suit

Next Clear

Figure 5

- Yes/No State law option on statistics screen for entry of an existing substantive issue of state law. (See Figure 5)
- You can now select up to five Natures of Suit on a case. They must be selected in order of importance. (See Figure 5)
- Additional Natures of Suit codes are available.

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Log

Open a New Adversary Case

Party code U.S. not a Party in the case

Rule 23 (class action) n

Jury demand None

Demand (\$000)

State law n

Primary nature of suit

none

01 (Determination of removed claim or cause)

02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))

11 (Recovery of money/property - 542 turnover of property)

12 (Recovery of money/property - 547 preference)

13 (Recovery of money/property - 548 fraudulent transfer)

14 (Recovery of money/property - other)

21 (Validity, priority or extent of lien or other interest in property)

31 (Approval of sale of property of estate and of a co-owner - 363(h))

41 (Objection/revocation of discharge - 727(c),(d),(e))

51 (Revocation of confirmation)

61 (Dischargeability - 523(a)(5), domestic support)

62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)

63 (Dischargeability - 523(a)(8), student loan)

64 (Dischargeability - 523(a)(15), divorce/sep property settlement/deed)

65 (Dischargeability - other)

66 (Dischargeability - 523(a)(1),(14),(14A) priority tax claims)

67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)

68 (Dischargeability 523(a)(6), willful and malicious injury)

71 (Injunctive relief - reinstatement of stay)

72 (Injunctive relief - other)

81 (Subordination of claim or interest)

91 (Declaratory judgment)

SS (SIPA Case - 15 U.S.C. 78aaa et seq.)

Next Clear

Figure 6

- A new Adversary Proceeding Cover Sheet, version 10/06, provides for expanded statistical information required for reporting.

Docketing

- A link has been added to the Bankruptcy Screen to view all available events. To search this list, use your browser's search feature.
- Due to the new statistical reporting requirements, the event "Motion for Miscellaneous Relief" has been removed and additional motion types added. The "Documents" event has also been expanded and a "Reports (Misc)" event has been created.
- On the Notice of Electronic Filing (NEF) and in the "Mailing Information for a Case" (under the Utility > Mailings menu), all interested parties receiving e-mail were listed. Now, they are only listed if they are regular parties in the case.

Reports

- The Cases and Docket Activity reports now display a warning that they are not subject to the 30-page cap on PACER charges.
- Cases: The display now includes the old chapter for a converted case.
- Docket Report: The chapter of the related bankruptcy case is now shown for an adversary proceeding.

Utilities

- Maintain Your ECF Account: The ability to change your Login Name is no longer available.
- Mailings/Mailing Info for a Case: All attorney email recipients are now listed.
- Court Information: A new utility that provides general court information such as the maximum size of PDF files and the court's phone number. A link for this utility also appears on the CM/ECF welcome page

Miscellaneous

- PACER:
 - ▶ The login screen has been changed to emphasize the differences between CM/ECF and PACER logins.
 - ▶ An option to make the entry of client code mandatory now exists [specified by the user through their PACER Service Center (PSC) account]. Note: After a CM/ECF user has designated a default PACER account, logging in to CM/ECF causes the PACER login process to happen automatically; the user does not expect to be asked for a PACER login when running a billable report. However, if client code has been made mandatory for the default PACER account, the automatic login to PACER will not occur without a client code; if he has not typed a client code on the CM/ECF login screen, the PACER login screen will be displayed when the user runs a report.
 - ▶ PACER users can now choose whether or not to display the PACER receipt [specified by the user through their PSC account].
 - ▶ The PACER Service Center's website is: <http://pacer.psc.uscourts.gov>
- Previously, any recipient of an NEF was allowed one "free look" of the referenced documents and incurred no PACER charges. Now, only participants in the case (parties and attorneys) are given the free look while all others will be billed.
- A \$26.00 fee is due for not only adding or deleting creditors, but also for changing an amount of a debt and/or changing the classification of a debt on the debtor's schedules.

New Events in Release 3.1

Category	Specific User	Description of Event
Appeal		Election to Appeal
Appeal		Joint Certification to Court of Appeals
Appeal		Transmittal of Record for Preliminary Hearing
Appeal		Direct Appeal
Auditor	Auditor	Auditor's Report
Auditor	Auditor	Amended Auditor's Report
Auditor	Auditor	Supplemental Auditor's Report
Miscellaneous;Plan		Corporate Resolution
Miscellaneous		Nondischargeable Debt
Miscellaneous		Objection to Professional Fees
Miscellaneous;AP Miscellaneous; Trustee 7; Trustee 11; Trustee 13; Trustee 12; UST		Report (Miscellaneous)
Miscellaneous		Notice of Service
Motion		Motion & Order to Assume Lease or Executory Contract
Motion		Motion & Order to Remove Professional
Motion		Motion & Order to Reject Lease or Executory Contract
Motion; Order		Motion & Order on Motion for Abstention Under Section 305
Motion; Order		Motion & Order on Motion to Dismiss Case for Abuse
Motion; Order		Motion & Order on Motion to File Amended Proof of Claim
Motion; Order		Motion & Order on Motion for Approval
Motion; Order		Motion & Order on Motion to Assume Lease or Executory Contract
Motion; Order		Motion & Order on Motion for Authority
Motion; Order		Motion & Order on Motion for Authority to Obtain Credit Under Section 364
Motion; AP Motion; Order		Motion & Order on Motion for Certification to Court of Appeals
Motion; Order		Motion & Order on Motion for Continuation of Utility Service
UST, Trustee 7, Trustee 13, Trustee 12		Motion & Order on Motion to Distribute to Debtor

Motion; Order		Motion & Order on Motion to Extend Time to Appeal Under Rule 8002(c)
Motion; Order		Motion & Order on Motion for Issuance of Order
Motion; Order		Motion & Order on Motion to File Claim After Claims Bar Date
Motion; Order		Motion & Order on Motion for Leave to Amend or File
Motion; Order		Motion & Order on Motion for Damages for Creditor Misconduct
Motion; Order		Motion & Order on Motion Setting Property Value
Motion; Order		Motion & Order on Motion to Redeem Property of the Estate
UST; Order		Motion & Order on Motion to be Relieved
Motion; Order		Motion & Order on Motion for Removal of Debtor as Debtor in Possession
Motion; Order		Motion & Order on Motion for Sale of Property Under Section 363(b)
AP Motion; Order		Motion & Order on Motion to Substitute Party
Motion; Order		Motion & Order on Motion for Temporary Restraining Order
Motion; Order		Motion & Order on Motion to Dismiss Case for Failure to File Taxes
Notice		Notice of Proposed Abandonment of Property of the Estate
Notice		Notice of Proposed Use, Sale or Lease of Property
UST		Selected for Audit